

JUDGE RAPS LAWYER IN HAWTHORNE CASE

U. S. Attorney Dorr's questions to Freeman "Highly Improper."

ARGUE FOR TWO HOURS

Credibility of One of Defendants Questioned in Cross-Examination.

Judge Mayer ruled yesterday at the trial of Julian Hawthorne and his associates that a question put by Assistant United States Attorney Dorr to Mr. Freeman, one of the defendants, was "highly improper." This started an argument between the Judge and the defense which kept the jury and every one else stirred for two hours.

The Dorr in his cross-examination of Freeman who had been testifying for seven days, tried to impeach his credibility calling the witness' attention to the fact that in the Broad circular which was sent out to intended subscribers, Freeman had said that he had been a mining man all his life.

"How old are you, Mr. Freeman?" he asked.

"I was born in 1855."

"Have you been in the mining business ever since?"

"From 1860 to 1861 I was in the business."

"Would it not be true that you were suspended from the Consolidated Stock Exchange?" Mr. Dorr asked.

Here Judge Mayer interposed and declared that while he had the greatest respect for Mr. Dorr, he couldn't express himself strongly enough in regard to the impropriety of the question.

Mr. Dorr argued that it had been established that the question of the credibility of a witness might be brought out by seeking to gain from the witness own mouth corroboration of the prosecution believed to be the truth.

"Show me the case," answered Judge Mayer.

At that point United States Attorney Dorr jumped up to defend Mr. Dorr's procedure and said that he considered the Judge's ruling a little harsh.

"We are going to prove," continued the United States Attorney, "that the words of this witness, which are supposed to count for 100 per cent, are worth only one per cent."

Thomas W. Proctor, counsel for Freeman made a remark to Mr. Wise questioning the good faith of the latter quale quale the reply of the United States Attorney.

It apparently hasn't seared through your hide that the word of a gentleman is to be accepted here, although it may not be in Massachusetts."

The United States Attorney as well as Mr. Dorr further argued that since the credibility of Government witnesses had been questioned by the defense the government ought to be allowed the same privilege.

Judge Mayer said he would adhere to his ruling.

GERM GETS DR. WILEY AT LAST.

Crawls in His Larynx on a Train—Some Advice to Girls.

BUTTE, Mont., Feb. 6.—Dr. Harvey W. Wiley is in Butte suffering from a severe case of laryngitis, which, he says, he caught on the train coming from Idaho.

Some accommodating person left it there for me," said he.

Dr. Wiley wants smoking compartments in cars abolished and compartments for invalids substituted. His disease will not be checked until the sick are segregated and sufferers from tuberculosis, whooping cough, measles, diphtheria, typhoid fever, etc., are treated the same as lepers and kept by themselves. In an interview Dr. Wiley said:

"When a woman said the way to keep men home is to 'feed the brutes,' she had the solution. The future of the fight against adulterations depends largely on the personnel of those in charge. Every girl should be taught to cook before she can talk, play the piano, embroider, speak French or flirt. Wish we had more cooks and stoves and fewer pianos. The divorce mills would not be so busy."

People say the chief job in Butte is mining. It is eating. Everybody is doing it."

Dr. Wiley was told that a bill had been introduced in the Montana Legislature to prohibit the marriage of persons having a hereditary disease or affected with tuberculosis.

"Good! It is a crime for such people to marry and breed. A man or woman who is not physically well should remain single. Then sterilization is possible and this is wiser, I believe, than marriage."

WATCHMEN MISSED AFTER FIRE.

Chief Kenton Called to Brownsville — Sparks Fly Half Mile.

A fire which started in the plant of L. & K. Knobelen, dealers in lumber, on West Avenue, between Park and Belmont avenues, Brownsville, destroyed the lumber building, the lumber in the shed, three small dwellings, and threatened wooden buildings for blocks around. Two houses on fire in the yard were extinguished at midnight.

The uncharred remains of 11 orchard and four houses were sent in bringing Chief Kenton. Wind carried sparks half a mile, and the two story dwelling at 223, 225 and 226 Vesuvius avenue caught on fire and were destroyed.

The water supply seemed insufficient.

NEPHEWS CONTEST LYLE WILL.

Charge Undue Influence of Young Wife, Like Other Relatives.

PROVIDENCE, Feb. 6.—Two more contestants are in the suit to break the will of the late John S. Lyle of Tenafly, who died last July, aged 33, leaving the sum of an estate valued at \$20,000,000 to his young widow. They are Isaac and James Lyle, sons of Alexander Lyle, the deceased testator, and their mother, at Cape Negro, Sheepshead county, South Africa. Their appeal was filed today with Surrogate Robert A. Shifford.

These contestants make the same charge that appeared in the appeal of the six other contestants—that John Lyle was of unsound mind when he made his will at the time that Julia Lyle, his wife, claimed to be his widow, and that the testator was incapable of making a will when he did, a few hours before his death.

CONDAMNS NORRIS BILL.

Chamber of Commerce Acts on Pending Measures in Congress.

The Chamber of Commerce yesterday postponed action on a resolution indicating Senator Root's bill to amend the Panama Canal law by striking out the provision which would have required said measure to become effective only after the majority of the members of the Senate had voted in favor of the resolution, but considered it fair to the amendment of the resolution to postpone action on it.

The chamber adopted a resolution condemning the Norris bill and making an appeal to the President to veto it because of the burden it places upon merchants engaged in foreign trade. The bill, if passed, would put out of the coffee Authorization plan. As pointed out by the resolution, it imposes import duties on merchandise and their imports by making "agents or principals" liable to the penalties for combination, trust or cartels provided by the Sherman antitrust act.

The chamber also disapproved the House bill changing the existing laws on all imports imported in vessels under the American flag as being unfair to foreign countries and as tending to raise the cost of all imported merchandise.

George H. Moses, former Minister to Greece, in an address on "American Trade Opportunities in the Levant," advised the United States could capture most of the trade in the Levant if it would do so.

COURT CALENDARS THIS DAY.

NEW YORK COUNTY.

Supreme Court, Appellate Division, Before Ingraham, P.J.; McLaughlin, Laughlin, and Scott, J.s.; Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Associate Term, Before Ingraham, P.J.; McLaughlin, Laughlin, and Scott, J.s.; Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Special Term, Part I, Before Stebbins, J.; Litigated motions, Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Special Term, Part II, Before Hendrickson, J.; Court opens at 10 A. M.; Ex parte motions, Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Trial Term, Part I, Before Hendrickson, J.; Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Trial Term, Part II, Before Hendrickson, J.; Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Trial Term, Part III, Before Hendrickson, J.; Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Trial Term, Part IV, Before Hendrickson, J.; Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Trial Term, Part V, Before Hendrickson, J.; Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Trial Term, Part VI, Before Hendrickson, J.; Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Trial Term, Part VII, Before Hendrickson, J.; Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

KINGS COUNTY.

Supreme Court, Trial Term, Part I, Before Blackmar, J.; Ex parte motions, Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

Supreme Court, Special Term, Before Blackmar, J.; Litigated motions, Feb. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

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